

Springerville Town Council
Minutes
August 3, 2005

Present: Kay Dyson, Mayor, Mary Nedrow Vice- Mayor, Mark Baca, Scott Cray and Pete Hunt

Staff: Scott Garms Town Manager, Val Cordova Town Clerk, Sterling Solomon Town Attorney, Larisa Bogardus Community Development Dir., Steve West, James Hamblin Finance Director, and Tom Malone Public Works Dir.

Public: Mr. and Mrs. Doug Henderson, Phelps Wilkins, Dave and Amy Pulsifer, David and Geri Silva, Larry Udall with Curtis, Goodwin, Sullivan, Udall and & Schwab, P.L. C. and Tom Belshe with the League of Arizona Cities and Town's.

1. The meeting was called to order by Mayor Dyson at 6:00 p.m.
2. Vice-Mayor Nedrow led the Pledge of Allegiance and Councilman Hunt gave the invocation.
3. Public Participation:

Mr. Phelps Wilkins reported that the garden tour was very successful. With the proceeds thus far, they have a total of a \$41,000 for the school project. He stated that the brick sales were a very big fund raiser and thanked the council for their support. He asked if the council could give an update of the one percent bed tax.

4. Manager, and Council Reports

Councilman Hunt wondered if it was necessary for the council to receive such a large volume of material from staff. He felt that the staff was great and capable of administrating well without giving a daily log of their activities. He wondered if it would be more efficient in their work if the council did not require that of them and asked if this was something they might consider.

Mayor Dyson suggested that they allow the manager to handle this with his staff.

Mr. Garms reported that we are in the initial planning stages for another round of roads and need to see where the town is with cash and what they can handle for the remainder of the summer. Staff will sit down and identify more roads. This will include the upgrade of two bridges within the city limits. ADOT identified some upgrades that need to be made. These bridges are in the budget this year. The bridges identified are Wenima and the other on the Little Colorado along Airport Road. The town will partner with Game and Fish who will help with some labor on Wenima bridge.

The old school roof stabilization is almost done but are still dealing with some engineering. Work should begin on the membrane roof in the next week or two, when the contractor shows up. It will be dried out and decontaminated.

Public works is installing sprinklers in the park to try to make it more efficient with the watering in certain areas of the park.

We finally received a breakout of the tourism tax of which the council has received a copy of the report. There is \$6,543 in that account from March, April and May.

Mayor Dyson presented a Citizen's Appreciation award to David and Geri Silva for their organization of the art show on June 17th & 18th at the Becker Park with over fifty artists and an art contest.

Mr. Silva thanked the council as well as Mr. and Mrs. Phelps Wilkins for their support in helping contact over fifty artists.

An award was also presented to Dave and Amy Pulsifer for their organization of the Fourth of July Friends and Neighbors gathering and barbeque. She acknowledged that a lot of people who contribute time, money and effort but there has to be someone that cares enough to get it together.

Brian Martin Airport Manager gave a brief quarterly report for the airport noting that it was fairly quiet again this quarter but felt that it may be due to the wet weather and slow fire season. Guardian Air an air ambulance service is now based here in Springerville with two pilots on duty twenty four hours a day. Last quarter and part of this quarter Fish and Wildlife Service was doing Mexican Gray surveys extensively. One of the student pilots has received his private pilot certificate.

Mr. Martin thanked our public works department for their assistance at the airport with weed burning and used oil.

5. Minutes: Consider approval of the minutes of the town council meeting of July 20, 2005.

Councilman Cray stated he was submitting a correction to the minutes in written form but noted that he was not present for the last two agenda items and would like the minutes to reflect that.

Pete Hunt/Mark Baca motion to accept the minutes with the noted corrections for the July 20th meeting.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

6. Public Hearing: Public hearing to receive public comment on fiscal year 2005/2006 Town of Springerville budget.

Pete Hunt/Mary Nedrow motion to go into public hearing.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

Mayor Dyson announced that they are now in public hearing to take any public comments or questions on the 2005/2006 fiscal year budget.

There were no comments from the public on the 2005/2006 budget.

Mark Baca/Pete Hunt to go out of public hearing.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

7. Ordinance #2005-006: Discussion, second reading, and action regarding ordinance #2005-006 amending Chapter 17.100 "Signs" of the Springerville Municipal Code and Section 405 "Signs" of the Springerville Zoning Code.

An ordinance of the Town of Springerville, Arizona, amending chapter 17.100 "Signs" of the Springerville Municipal Code and section 405 "Signs" of the Springerville Zoning Code and designating an effective date: Second reading by Mayor Dyson

Pete Hunt/Mary Nedrow motion to adopt Ordinance 2005-006 amending Chapter 17.100 of the town code and Section 405 of the zoning ordinance, "Signs".

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

8. **ORDINANCE #2005-007:** Discussion, second reading, and action regarding ordinance #2005-007 amending Chapter 17.96 "Nonconforming Uses and Structures" of the Springerville Municipal Code and Section 403 "Nonconforming Uses and Structures" of the Springerville Zoning Code.

An ordinance of the Town of Springerville, Arizona, amending Chapter 17.96 "Nonconforming Uses and Structures" of the Springerville Municipal Code and section 403 "Nonconforming Uses and Structures" of the Springerville Zoning Code and designating an effective date: Second reading my Mayor Dyson.

Mary Nedrow/Mark Back motion to adopt Ordinance 2005-007 amending Chapter 17.96 of the Town Code and Section 403 of the Zoning Ordinance, "Nonconforming Uses and Structures"

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

9. Arizona League of Cities and Towns: Discussion and presentation by Tom Belshe of the AZ League of Cities & Towns regarding a legislative update.

This item was moved to the bottom of the agenda to give him time to get here.

Mark Baca/Pete Hunt motion to move this item to the bottom of the agenda.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

10. **ORDINANCE #2005-009:** Discussion and first reading of ordinance #2005-009 amending Title 13 "Public Services" by adding new Article 13.28 "Utilities Board" with a presentation from Michael Curtis of the Law Offices of Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.

An ordinance of the Common Council of the Town of Springerville, Arizona, amending the Code of Springerville, Arizona, by amending Title 13 Public Services, by adding new Chapter 13.28 Utilities Board, creating the Utilities Board of the Town of Springerville and setting forth the duties of the board; providing for repeal of conflicting ordinances; and providing for severability. First reading by Mayor Dyson.

Mr. Garms explained that Navopache Electric met with all of the municipalities within their regions which includes Reserve. An allocation of electricity will be coming up from Parker Davis Dam that may provide the town with an opportunity for an allocation for municipal use such as our street lights, sewer plant and municipal buildings to bring down power costs. This law firm is working on this on behalf of the towns through Navopache Electric.

Mr. Larry Udall with the Law Firm of Curtis, Goodwin, Sullivan, Udall & Schwab P.L.C. explained that the power generated by Parker Davis Dam is allocated by Western Area Power Authority with contracts of approximately twenty years in length. These contracts are up for renewal again. This gives a number of Arizona municipalities that have not participated in the past to participate in this allocation of power through recontracting

with Western Power. Navopache Electric as our utility here in Springerville wants the municipalities to have the opportunity to obtain an allocation of power from Parker Davis. He further explained that allocations can only be made to qualifying municipalities. He explained that municipalities will probably qualify if they have an ordinance establishing a utility board. There will not be any expense other than the creation of a utility board. The council will have direct and indirect control of this utility board.

11. Resolution 2004-014: Discussion and action regarding the final adoption of the fiscal year 2005/2006 Town of Springerville budget.

A resolution of the Mayor and the Common Council of the Town of Springerville, Arizona adopting the budget for fiscal year 2005-2006 read by Mayor Dyson

Pete Hunt/Mark Baca motion to approve resolution number 2005-R014 adopting the budget for Fiscal year 2005/2006.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

12. Quarter Moon Contract: Discussion and action regarding a contract with Quarter Moon for Port-A John Services at the parks.

Mary Nedrow/Pete Hunt Motion to **approve** the contract with Quarter Moon as presented.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

13. Susie Subdivision Easement Contract: Discussion and action regarding the approval of a contract with Doug Henderson to provide a utility easement.

Mr. Henderson addressed the council regarding the contract he received. He stated that he was not happy with the following things on the contract. The first item is on page one under item B, the easement itself. He wants the easement written for the sewer line only, no other utilities. The next item under number four is the indemnification. Although Mr. Solomon explained him that this was just standard, he said he objected to it and asked that it be removed from the agreement.

Mr. Henderson also noted that the legal description would have to be changed as well to reflect the sewer easement only.

The council agreed to make the changes he requested.

Scott Cray/Mark Baca motion to approve the contract with Mr. Henderson with the proposed changes presented.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

14. Polling Place Agreement: Discussion and action regarding the authorization of a polling place agreement with Apache County.

This allows Apache County to use the old town hall as an election polling place. This allows municipal offices to remain open during election days.

Scott Cray/Pete motion to authorize the Mayor to sign an agreement for a polling place with Apache County.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

15. Criminal Justice Enhancement Fund: Discussion and action regarding the acceptance of a CJEF grant for the Springerville Police Department to purchase patrol bikes with accessories and surveillance equipment.

Mark Baca/Scott Cray motion to accept this grant CJEF number 2006-025 as presented.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

16. Sewer System: Discussion and action regarding research to improve sewer fund deficit.

Mayor Dyson explained that during discussions during budget time, they were looking for ways to lessen the deficit to the sewer fund.

Mr. Garms stated that some of the methods they are looking at is increasing rates; decreasing current cost such as the electricity and possibly to require hook-ups. He explained that ADEQ regulations allow for this under certain conditions, but there has to be a city ordinance in place to give the town the authority and power to enforce it. He noted that certain circumstances such as building a new home when there is service available or transferring ownership of homes or the failure of a septic system would fall under this category. He advised them that this wouldn't have an immediate impact but it would slowly help with bring more customers on board.

He said that the finance director would be working on a tiered rate structure to see what would be required in reasonable future increases and looking for ways to decrease our current costs.

After much discussion, staff was given direction to bring to the council a draft ordinances.

17. Forest Service Rural Community Assistance Grant: Discussion and action regarding status and direction of the current F.S. Rural Community Assistance Grant.

Mayor Dyson explained that this was a Forest Service planning grant we applied for several years ago for the 6.5 acres for town hall. Larisa has stated that she would like to incorporate the down town area and plan for the down town area that the Forest Service is willing to accept the revision.

Several comments and questions were asked regarding the Master plan from the council members. After much discussion and the possibly changing the scope of the grant the council made a decision to table this item

Pete Hunt/Mark Baca motion to table this item until the next meeting.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

9. Arizona League of Cities and Towns: Discussion and presentation by Tom Belshe of the AZ League of Cities & Towns regarding a legislative update.

Mr. Tom Belshe Member Services Director was given the floor to give an update of the legislative changes during the legislative session.

He explained that the State Legislature has attacked two key fundamental issues. Those issues are local control, that cities and town have the opportunities to decide things of local concern, and the ability to operate with revenue that was given to cities and town by a vote of the people in 1957 and 1972, which includes urban revenue sharing and state Shared Income and sales taxes.

He urged the support of our Representatives who helped to defeat things on the floor when the League was not able to do so. Mr. Belshe then gave an overview of the of the Legislative session that had an impact on cities and towns. (Attached)

18. Ordinance #2005-008: Discussion and first reading of ordinance #2005-008 amending Chapter 17.28.090 “Home Occupations” of the Springerville Municipal Code and Section 404(I) of the Springerville Zoning code.

An Ordinance of the Town of Springerville, Arizona, amending Chapter 17.28.090 “Home Occupations” of the Springerville Municipal Code and Section 404(i) “Home Occupations” of the Springerville Zoning Code and designating an effective date: First reading by Mayor Dyson.

Ms. Bogardus explained that this should put more structure to what home occupations are and encourages certain types of businesses to locate in commercial or industrial areas.

19. Resolution # 2005-015: Discussion and action regarding resolution #2005-R015 declaring as a public record a document filed with the Town Clerk and entitled “Business License Ordinance of the Town of Springerville.

Mark Baca/Scott Cray motion to adopt Resolution 2005-R015 declaring the document entitled “Business License Ordinance of the Town of Springerville” a public document.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

20. Little Colorado River Watershed Coordinating Council: Discussion and action regarding entering into a partnership agreement with the LCRWCC.

The Little Colorado River Watershed Partnership has asked for a partnership agreement with the town of Springerville and other agencies within the Little Colorado River Watershed to commit to principles with the understanding that we are a part of a watershed action group and will take steps to appropriately conserve and manage water for the long term, to gain local control over water issues.

Mayor Dyson noted that the Hopi’s asked for one change in the agreement adding the word “Tribal” along with municipalities.

Pete Hunt/Mary Nedrow motion to enter into a partnership agreement with LCRWCC.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

21. Motion to Adjourn:

Mark Baca/ Pete Hunt motion to adjourn the meeting at 7:59pm

Vote:	Ayes:	Kay Dyson
		Mary Nedrow

Mark Baca
Scott Cray
Pete Hunt

Kay Dyson, Mayor

ATTEST:

Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Wednesday August 3, 2005. I further certify that the meeting was duly called and a quorum was present.

Dated this 8th day of August 2005

Town Clerk